

REMARKS

I. Introduction

Claims 1-6 are pending in this application, of which claim 1 is independent. Applicant acknowledges, with appreciation, the Examiner's indication that claims 2 and 3 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

II. The Rejection of Claims 1 and 4-6

Claims 1 and 4-6 have been rejected under 35 U.S.C. §102(b) as being anticipated by Hasegawa et al. (U.S. Patent No. 5,946,062). The Examiner asserted that Hasegawa et al. disclose a liquid crystal display device identically corresponding to what is claimed. Applicant respectfully traverses this rejection.

It is well established precedent that the factual determination of lack of novelty under 35 U.S.C. §102 requires the identical disclosure in a single reference of each element of the claimed invention, such that the identically claimed invention is placed into the possession of one having ordinary skill in the art. *See Helifix Ltd. v. Blok-Lok, Ltd.*, 208 F. 3d 1339, 54 USPQ2d 1299 (Fed. Cir. 2000); *Electro Medical Systems S.A. v. Cooper Life Sciences, Inc.*, 34 F.3d 1048, 32 USPQ2d 1017 (Fed. Cir. 1994).

Applicant submits that Hasegawa et al. do not disclose a liquid crystal display panel including all the limitations recited in independent claim 1. Specifically, Hasegawa et al. do not disclose, at a minimum, the following limitation recited in claim 1:

a spacing between a portion of an outermost wire of the one or more wires which is located in the vicinity of the holding portion and a portion of an edge of the substrate which is located in the vicinity of the holding portion is larger than a spacing between a portion of the outermost wire which is other than the portion

located in the vicinity of the holding portion and a portion of the edge of the substrate which is other than the portion located in the vicinity of the holding portion.

In the statement of the rejection, the Examiner asserted that in Fig. 19 of Hasegawa et al. discloses the above limitations, specifically noting that “the wires bend to the left of the figure, at any point past the bending point of the wire, the wire is closer to the left edge of the substrate than the same wire at a point near the bottom of the substrate” (see the Examiner’s comments on page 2 of the Office Action).

Applicant acknowledges, with appreciation, Examiner Dudek’s courtesy and professionalism in conducting a telephone interview on October 18, 2006, during which the Examiner’s comments on page 2 of the Office Action was discussed. It is Applicant’s understanding of the Examiner’s comments that “the left edge” indicates an edge close to the letters “FIG. 19” in Fig. 19 of Hasegawa, and “the bottom of the substrate” indicates an edge pointed by the letters “SUB1,” “SUB2,” and “LN” in Hasegawa’s Fig. 19. In other words, Applicant understands that the Examiner intended to assert that lines SHg and SHd in Fig. 19 of Hasegawa correspond to the claimed outermost wire, and that an area where lines SHg and SHd are provided has the claimed spacing.

However, the area where lines SHg and SHd are provided is cut from a substrate along lines CT1, and thus, is not part of a substrate held by holding portions of a housing. Hasegawa et al. describe as follows:

FIGS. 17 and 18 show the state after the upper and lower substrates SUB1 and SUB2 have been cut, and FIG. 19 shows the state before the cutting operation. Letters LN designate the edges of the two substrates before the cutting operation, and characters CT1 and CT2 designates the individual positions at which the substrates SUB1 and SUB2 are to be cut.

But, the drain terminals DTM constitute the terminal group Td (whose suffix is omitted), as shown in FIG. 19, and are further extended across the cut line CT1 of the substrate SUB1 so that all of them are short-circuited to each other through lines SHd so as to prevent any electrostatic breakdown during the fabrication step.

Column 21, lines 2-8, and column 27, line 64 to column 28, line 3. Accordingly, Hasegawa's liquid crystal display device does not have the area where lines SHg and SHd are provided.

Therefore, this leads to a conclusion that Hasegawa et al. do not disclose "a spacing between a portion of an outermost wire of the one or more wires which is located in the vicinity of the holding portion and a portion of an edge of the substrate which is located in the vicinity of the holding portion," and "a spacing between a portion of the outermost wire which is other than the portion located in the vicinity of the holding portion and a portion of the edge of the substrate which is other than the portion located in the vicinity of the holding portion," as recited in claim 1.

The above-described fundamental differences between the claimed invention and Hasegawa et al. undermine the factual determination that Hasegawa et al. identically describes the claimed invention within the meaning of 35 U.S.C. §102. *Minnesota Mining & Manufacturing Co. v. Johnson & Johnson Orthopaedics Inc.*, 976 F.2d 1559, 24 USPQ2d 1321 (Fed. Cir. 1992); *Kloster Speedsteel AB v. Crucible Inc.*, 793 F.2d 1565, 230 USPQ 81 (Fed. Cir. 1986). Applicant, therefore, submits that the imposed rejection of claim 1 under 35 U.S.C. §102(b) for lack of novelty as evidenced by Hasegawa et al. is not factually viable. Dependent claims 4-6 are also patentably distinguishable over Hasegawa et al. at least because these claims include all the limitations recited in independent claim 1. Applicant, therefore, respectfully solicits withdrawal of the rejection of claims 1 and 4-6 under 35 U.S.C. §102(b), and favorable consideration thereof.

III. Conclusion

It should, therefore, be apparent that the imposed rejections have been overcome and that all pending claims are in condition for immediate allowance. Favorable consideration is, therefore, respectfully solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP


Michael E. Fogarty
Registration No. 36,139

**Please recognize our Customer No. 20277
as our correspondence address.**

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 MEF:TT
Facsimile: 202.756.8087
Date: December 22, 2006